

interference ratios for NTSC and DTV stations. 34/ Although LPTV stations operate at substantially less power than all but a few full-service stations, LPTV stations located within the protected contour of an NTSC or DTV station may still fail to meet the required interference ratios in areas near the LPTV transmitter site. By allowing displaced LPTV stations to co-locate with existing NTSC or new DTV stations, the necessary interference ratios can be maintained throughout the NTSC or DTV station's coverage area.

Second, the Commission should permit displaced LPTV stations to increase power in order to serve their previous coverage areas following co-location of their facilities with an NTSC or DTV station.. Since co-location will alter the station's coverage area, the Commission should allow displaced LPTV stations to modify their antenna patterns and increase power levels to maintain service within their former Grade B contours.

Third, the Commission should adopt its proposal to allow displaced LPTV stations to take terrain and other appropriate engineering factors into account in finding replacement channels. 35/ Fourth, the Commission should adopt its proposal to permit displaced low power stations to file applications for suitable replacement channels in the same area that are not subject to competing

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34/ Id. at Appendix A.

35/ See id. at ¶ 71.

applications, pursuant to the procedures set forth in Section 73.3572 of the Commission's rules. 36/

**V. The Commission Should Improve Service To Urban Audiences By Permitting Broadcasters To Increase Their DTV ERP Levels Within Their Service Contours.**

The Commission could improve service to urban audiences by permitting UHF broadcasters to calculate maximum ERP levels at their stations' coverage contour edge. Specifically, UHF stations should be able to calculate their stations' ERP at the depression angle to the stations' DTV coverage contour (43.8 dBu in Appendix B to the Sixth NPRM). If the station uses a directional antenna, it should calculate the station's ERP at the radial to the most distant point on the DTV coverage contour. Stations should be able to use beam tilt to improve coverage inside their coverage areas, even if it results in higher effective radiated powers than those listed on the Commission's proposed DTV table. 37/ Although the use of beam tilt is not specifically authorized by the Commission's proposed table, this approach is not inconsistent with the approach outlined in Appendix B of the Sixth NPRM.

This methodology would enable UHF broadcasters operating from mountain transmitter sites located near urban population centers, such Los Angeles, to provide a stronger DTV signal within their service areas. Thus, UHF stations could improve the quality of the DTV signal delivered to viewers in such

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36/ Id. at ¶¶ 67 & n.69.

37/ Id. at ¶ 94.

nearby urban areas, where many of Telemundo's viewers rely upon antennas instead of cable television in order to receive a clear signal. <sup>38/</sup> Stations could improve their signals to urban viewers without exceeding their permitted service areas. Accordingly, it would serve the public interest. Yet, if this option is not available, UHF stations would be forced to choose between (1) concentrating the majority of their power on the edge of their service contours while accepting a weaker signal closer to their antenna sites, (2) providing a strong DTV signal to the population closest to their antenna sites, but failing to reach the edges of their service contours, or (3) using lower gain, less efficient antennas and higher transmitter powers.

## **VI. Conclusion**

Telemundo urges the Commission to adopt a DTV table of allotments that preserves its ability to provide Spanish-language programming to its current audiences during and after the transition to digital television. Telemundo supports the DTV Table proposed by the Broadcasters, rather than the FCC's proposed DTV Table, as a means of achieving this goal. However, if the Commission decides to adopt its proposed table, it should nevertheless change the assignment for KVEA so that Telemundo's ability to compete in the Los Angeles marketplace is not decimated. Since the Broadcasters' proposed DTV table does not address the

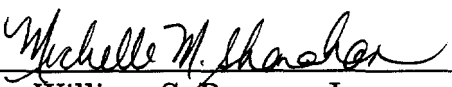
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<sup>38/</sup> For example, in the predominantly-Hispanic urban communities of Los Angeles, Compton and East Los Angeles, cable penetration rates are between 29 and 40 percent. Therefore, 70.1%, 70.3% and 60%, respectively, of the viewers in these communities must rely upon over-the-air broadcast signals for their television viewing. See Nielsen Cable On-Line Data Exchange, Los Angeles (July 6, 1996).

situation in Puerto Rico, the Commission also should make substantial adjustments to its DTV allotments in Puerto Rico reflecting the island's unique circumstances in order to avoid substantial DTV white areas. In addition to these allotment changes, the Commission also should provide better protection for LPTV and TV Translator services and incorporate engineering measures that will improve service to urban populations. These measures will help facilitate the successful transition of Spanish-language programming to digital television.

Respectfully submitted,

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